IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2064 of 2026

CNR No. BRHC010542392026

Arising Out of PS. Case No.-424 Year-2025 Thana- JOGAPATTI District- West Champaran

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1. Ramashish Yadav S/o Late Raja Yadav Resident of Village - Chaumukha, P.S.- Yogapatti, District - West Champaran
2. Sandesh Yadav @ Sandsh Kumar S/o Chhota Yadav @ Chotta Yadav Resident of Village - Chaumukha, P.S.- Yogapatti, District - West Champaran

... ... Appellant/s

Versus

1. The State of Bihar
2. Ramdhani Ram S/o Shivnath Ram Resident of Village - Nankar, Ward No.-08, P.S.- Yogapatti, District - West Champaran

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Brij Kishor Mishra, Advocate
For the Respondent/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 27-10-2026 1. Heard learned counsel for the appellants, learned AP.P. for the State Mr. Rabindra Kumar and no one appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 02.05.2026 in A.B.P. No. 1010 of 2026 passed by the learned Special Exclusive Judge S.C./S.T. (POA) Act, Bettiah, West Champaran in connection with Jogapatti P.S. Case

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No. 424 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 351(2), 352, 303(2) and 3(5) of the BNS as well as Sections 3(i)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellants submits that the appellant No. 1 has antecedent of two cases and appellant No. 2 has antecedent of one case and the informant (Ramdhani Ram) alleges that on 30.09.2025 at about 10:00 AM Sandesh, Ramashish, Nirmala Devi were cutting soil near door of the informant by JCB, on protest, Sandesh assaulted him by an iron rod causing injury on head and thereafter, other accused persons also assaulted by fist and slap and when Ranjan and Usha Devi came to save him, the accused persons also assaulted them and Nirmala snatched mangalsutra of Usha Devi, on alarm, nearby people gathered and the accused persons fled.

4. Learned counsel for the appellants submits that the appellants have been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that accused persons were cutting soil near her door on which she protested thereafter, the occurrence took place, it is next submitted that the land belongs to the appellant, but informant and her side is trying to usurp the land, as such,

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an altercation took place in which both sides assaulted each other. It is further submitted that entire occurrence took place at the house of the informant thus was not in a public view, nor the FIR even remotely suggests that any independent witnesses witnessed the occurrence. It is also submitted that even injury suffered by the injured has been opined to be simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the appellants.

6. Considering the aforesaid facts, let the appellants above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with the aforesaid case, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. **Accordingly, the impugned order is set aside and the appeal stands allowed.**

(Satyavrat Verma, J)

Nitesh/-

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